

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claim 11 has been amended. Thus, claims 11-16 are pending for further examination.

Claim 11 remains rejected under 35 USC 103(a) as allegedly being unpatentable over Martin et al. (U.S. Patent No. 5,355,302) in view of Cohen (U.S. Patent No. 6,198,408). For at least the following reasons, Applicant respectfully submits that amended independent claim 11 is not rendered obvious by the prior art of record. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Martin appears to disclose techniques for managing a plurality of computer jukeboxes at different locations from a central station. Martin uses a keyboard to control the functioning of the jukebox. Keyboards are attached to the jukebox devices directly rather than a “remote control device being provided for controlling a plurality of functions of a jukebox device” as required by amended independent claim 11. Cohen is introduced to make up for this and other deficiencies.

Applicant respectfully submits that the combination of Martin and Cohen is improper, and, even if it were proper, it would not render the invention defined by the claims obvious. There is no teaching or suggesting in Martin to replace the keyboard (alternately referred to simply as “keys” throughout the disclosure) with a different form of user interface, much less a remote control device for a jukebox. Applicant respectfully submits that turning on or off a device from a convenient location does not provide

adequate motivation to combine the prior art, where the invention defined by the claims, for example, allows a user to control a plurality of functions of a jukebox device.

Applicant also notes that the alleged combination still would not produce the invention defined by claim 11. Specifically, the remote control device of Cohen would control a device retrofitted to a jukebox device to indirectly cause the jukebox device to turn on or off. Thus, the remote control device would not control the jukebox device itself.

Cohen states that “the switch 16 may be programmed to be responsive to signals from a particular remote control unit. Accordingly, the remote control unit 12 may be any suitable device, such as the television cable network remote control unit” (col. 3, lines 59-63). However, this passage merely states that any existing remote control devices can be used to control the on/off switch. It makes no teaching or suggestion, however, regarding the ability to control a plurality of functions of a given electrical appliance through the switch required by Cohen. Differently stated, remote controls may control complicated electrical equipment such as televisions, and on/off switches according to Cohen can be actuated by such remote controls. This line of reasoning does not suggest, however, that a remote control for one device can actuate a plurality of functions on another device.

Just because a “television cable network remote control unit” may have a plurality of buttons does not mean that the switch of Cohen is adapted to respond, or even capable of responding, to the other buttons “for controlling a plurality of functions” as required

by amended independent claim 11. Indeed, while the switch and remote of Cohen's are capable of actuating a "first control" and a "second control," they seem capable of controlling only one basic feature of simple electronic appliances – namely, the luminescence of a light (on, off, dim), the speed of a fan (slow, medium, high), etc. Such simple devices alone are not even remotely comparable to a plurality of jukebox devices that communicate via an audiovisual distribution network, nor are these controllable functions commensurate in scope with the plurality of functions that can be controlled by the invention defined by the claims. Thus, Applicant respectfully submits that there is no teaching or suggestion "for controlling a plurality of functions of a jukebox device" via a remote control device.

Applicant also respectfully submits that the alleged combination of Martin and Cohen also fails to disclose "a remote control code storage mechanism that stores a remote control device identification code sent by the associated remote control device; [and] a server code storage mechanism that stores a server identification code sent by the server connected to said plurality of jukebox devices, said server identification code identifying another remote control device."

Furthermore, the alleged combination of Martin and Cohen fails to teach or suggest "comparing the control code comprising the remote control device identification code and/or the server identification code with the defined identification code stored on the jukebox to determine whether or not the jukebox will respond to control codes from the remote control." Thus, amended independent claim 11 requires, in part, a control

code comprising a remote control device identification code, and a defined identification code.

The Office Action asserts that the Learn Mode of Cohen discloses this limitation. Cohen specifically states that “the user selects a function button in any available remote control unit . . . in order to dedicate it to the operation of the switch 100” (col. 4, lines 61-64). Cohen teaches that this signal is converted to a unique code and stored (col. 5, lines 1-4). This process in Learn Mode appears to designate a remote control device identification code. But Cohen goes on to indicate that during Operation Mode, the received signal “is compared by the microprocessor 1-4 with the unique code generated and stored in the memory 106 during the Learn Mode, (block 146). If the two match, an indication to the relay 108 is provided, and the relay 108 turns off or on the electrical current” (col. 5, lines 29-32). Thus, according to Cohen, the control code, the remote control device identification code, and the defined identification code are all the same. Accordingly, Applicant respectfully submits that Cohen fails to render obvious claim 11.

The invention defined by the claims is advantageous because, for example, it may enable the user to easily manage and individually control jukeboxes among a plurality of jukebox devices (e.g. managing a plurality of jukeboxes devices connected to a central server, removing the need to direct the transmitter towards the receiver, one button for associating a jukebox to a remote control, possibility to use a second remote control in addition to the specifically associated remote control, etc.).

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Claim 11 also remains alternatively rejected under 35 USC 103(a) as allegedly being unpatentable over Mino et al. (U.S. Patent No. 5,980,261) in view of Cohen (U.S. Patent No. 6,198,408). Applicant first notes that Mino is directed to a karaoke system, and thus asserts that it should not form the basis for rejecting as obvious a system of jukeboxes. Even if the combination of Mino and Cohen were proper, for substantially the same reasons outlined above – especially those relating to the control code, the remote control device identification code, and the defined identification code limitations – Applicant respectfully submits that this alleged combination of references fails to render obvious the invention defined by the claims.

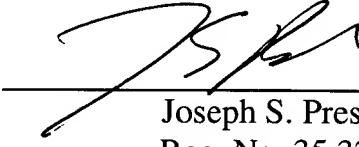
For at least the foregoing reasons, Applicant respectfully submits that claim 11 is not obvious in view of the prior art of record. Applicant also respectfully submits that claims 12-16 are allowable at least by virtue of their dependence from allowable independent amended claim 11.

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In view of the foregoing amendments and remarks, Applicant believes that the pending claims and are in condition for allowance. Thus, withdrawal of the rejections and allowance of this application are respectfully requested.

Respectfully submitted,

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